

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

DPWN HOLDINGS (USA), INC.

Plaintiff,

v.

CHINA AIRLINES, LTD.,

Defendant.

14-cv-07296 (MKB)(CLP)

JOINT RULE 26(f) REPORT AND PROPOSED DISCOVERY PLAN

Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, Plaintiff DPWN Holdings (USA), Inc. (“DHL”) and China Airlines, LTD (“China Airlines”) (collectively the “Parties”) hereby submit the following Joint Report and proposed discovery schedule (Exhibit A):

I. Rule 26(a) Initial Disclosures

The Parties agreed that the Rule 26(a)(1) initial disclosures shall be made on or before July 24, 2015. The parties also agreed that as part of the initial disclosures, DHL will produce copies of all documents upon which it relied in drafting its complaint against China Airlines, and, to the extent such data is available in DHL’s computer data base, will identify by name and location each company whose purchases of Airfreight Shipping Services from China Airlines are the subject of claims in this Action and provide a breakdown of those purchases by base rates, fuel surcharges, and security surcharges, and China Airlines will produce copies of all documents it produced to the class in *In re Air Cargo Shipping Servs. Antitrust Litig.*, No. 06-MD-1175 (E.D.N.Y.).

The exchange of documents will be subject to the entry by the Court of the Confidentiality Stipulation and Protective Order Governing Production of Documents between Plaintiff and Defendant that the Parties will submit to the Court on or before July 24, 2015.

II. Subjects of Discovery, Coordination Thereof and Scheduling

The Parties discussed the general areas where discovery will be needed. Attached hereto as Exhibit A is the proposed discovery schedule agreed to by the Parties. The Parties agreed that, after reviewing each other's initial disclosures, they will meet and confer to discuss what additional areas of discovery shall be needed.

III. Disclosure of Electronically Stored Information

The parties agreed that they will work to install reasonable parameters with respect to electronically stored data.

IV. Limitations on Discovery

The Parties agree that, at this time, no limitations on discovery are necessary other than those set forth in the applicable Federal Rules of Civil Procedure and this Court's Local Rules

V. Confidential and Inadvertently Produced Privileged Information

In connection with this order, the Parties will be filing a motion asking the Court to enter a Confidentiality Stipulation and Protective Order Governing Production of Documents between Plaintiff and Defendant, and that Stipulation will govern the production of confidential information and the inadvertent production of privileged documents.

VI. Other orders Under Rule 26(c) or Under Rule 16(b) and (c).

None, other than the proposed confidentiality order discussed above.

EXHIBIT A**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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CHINA AIRLINES, LTD.,

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[Proposed]

Discovery Scheduling Order

HON. CHERYL L. POLLAK, Magistrate
Judge: DISCOVERY DEADLINES:

Event	Deadline (on or before)
FRCP 26(a)(1) Initial Disclosures	July 24, 2015
Meet and confer regarding written discovery	September 15, 2015
Service of additional written discovery	October 9, 2015
Status Conference	October 16, 2015
Service of Deposition Notices	January 5, 2016
Fact discovery cut off	April 15, 2016
Amendments of the pleadings	April 29, 2016
Plaintiff's Expert Disclosures (including reports)	May 11, 2016

Defendant's Expert Disclosures (including reports)	June 10, 2016
Expert Deposition Cut off	August 8, 2016
Dispositive Motion Deadline	September 30, 2016

IT IS SO ORDERED:

Date: _____, 2015

Cheryl L. Pollak
United States Magistrate Judge

/s/ Garret Rasmussen

J. Peter Coll, Jr.

Garret G. Rasmussen

Antony Kim

ORRICK, HERRINGTON & SUTCLIFFE LLP

51 W. 52nd St.

New York, NY 10019

Telephone No. (212) 506-5000

Fax No. (212) 506-5151

*Counsel for Plaintiff DPWN Holdings (USA),
Inc.*

/s/ James V. Dick

James V. Dick

SQUIRE PATTON BOGGS LLP

2550 M Street, NW

Washington, DC 20037

Telephone No. (202) 626-6600

Fax No. (202) 626-6780

Counsel for Defendant China Airlines, Ltd.

CERTIFICATE OF SERVICE

I, Garret G. Rasmussen, hereby certify that, on June 25, 2015, I caused a true and correct copy of the foregoing Joint Rule 26(f) Report and Proposed Discovery Plan to be served on all counsel of record in the captioned case via CM/ECF.

/s/ Garret G. Rasmussen
Garret G. Rasmussen